

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:	)	
	)	Bankruptcy No. 21-21712-CMB
EUSTACE O. UKU,	)	
	)	Chapter 13
Debtor.	)	
	)	
EUSTACE O. UKU,	)	
	)	
Movant,	)	Related to Doc. No. 303
	)	
v.	)	
	)	
CHARLES A. KNOLL, JR.,	)	
	)	
Respondent.	)	

ORDER

AND NOW, this 7th day of October, 2024, upon consideration of the Debtor's *Motion to Extend Time to File Requested Documents and Statement Identifying Anything Not Provided and Reschedule Evidentiary Hearing* ("Motion," Doc. No. 303), the response of Mr. Knoll (Doc. No. 304), and the entire record of this case,

It is hereby **ORDERED, ADJUDGED, AND DECREED** that:

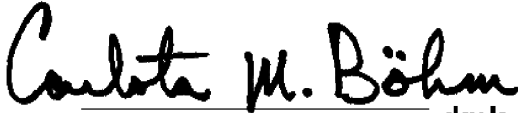
1. The Motion is **GRANTED IN PART AND DENIED IN PART** as set forth herein.
2. The Debtor shall produce the 2021 and 2022 tax returns.
3. To the extent Debtor avers he did not maintain any chart of income relating to his law practice and such a document does not exist, Debtor need not disclose the information in that specific format. However, he must disclose information regarding his income from his law practice and may do so in another format, such as through bank records or other available means.
4. To the extent Debtor avers he did not receive any 1099's in 2022-2023, the Debtor shall produce an affidavit in support of the statement.

5. Debtor shall disclose information regarding the source of his income since this Chapter 13 case was filed. The Court finds such information relevant to the extent Debtor seeks conversion to Chapter 11 as well as whether Debtor has proceeded in good faith for the purpose of considering dismissal of this bankruptcy case with prejudice. Debtor is reminded that the purpose of the October 24th evidentiary hearing is to consider conversion of this case to Chapter 7 or Chapter 11 or dismissal of the case with prejudice.<sup>1</sup>
6. For clarification and to prevent unnecessary delay and further disputes, to the extent Debtor does not have information in the format requested, Debtor shall produce information in another format as available (whether electronic or otherwise) to best fulfill the request. If information requested does not exist in any format, Debtor shall so state in an affidavit.
7. All production ordered herein shall occur on or before **October 18, 2024**, unless prevented by Debtor's hospitalization. Debtor's counsel shall keep counsel for Mr. Knoll apprised of the status. If the production has not occurred on or before **October 18, 2024**, counsel shall immediately confer and submit a joint status report regarding the compliance with this Order, and how they wish to proceed. The Joint Status Report shall be filed by counsel for Debtor on or before **4:00 P.M. on October 21, 2024**, to enable the Court to determine how to best proceed.
8. At this time, the evidentiary hearing on **October 24, 2024**, shall remain as scheduled. As addressed at the hearing held September 26, 2024, it was already contemplated that Debtor may not be physically able to attend an evidentiary hearing in person at any point in the near future. Therefore, it is not clear that rescheduling this evidentiary hearing will resolve that issue. The Court previously instructed counsel to discuss how to proceed in the event Debtor is unable to appear. That directive remains, and counsel shall advise of their positions regarding that item in a Joint Status Report to the Court due **October 21, 2024, at 4:00 P.M.** At some point, the Court must make a determination based on the

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<sup>1</sup> To the extent Debtor argues that such information would be irrelevant in a Chapter 11 case due to the proposed sale of real estate, (1) the value of the real estate is subject to intense dispute and (2) the Debtor presumes his request for conversion to Chapter 11 will be granted. It is not clear that Debtor has adequately disclosed his income for the three years this case has been pending, and there has been a lack of progress in this Chapter 13 case that ultimately led to the *Chapter 13 Trustee's Objection to Debtor's August 22, 2022, Plan and Request that Case Be Dismissed or Converted* (Doc. No. 271).

evidence and the record. The Trustee's recommendation for dismissal or conversion has been pending since June 2024, and it is not clear that further delay will assist in resolution.

  
Carlota M. Böhm **dmk**  
United States Bankruptcy Judge

FILED  
10/7/24 1:35 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

In re:  
Eustace O. Uku  
Debtor

Case No. 21-21712-CMB  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Oct 07, 2024

User: auto  
Form ID: pdf900

Page 1 of 3  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 09, 2024:

Recip ID	Recipient Name and Address
db	+ Eustace O. Uku, 214 Farmington Road, Pittsburgh, PA 15215-1633

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 09, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 7, 2024 at the address(es) listed below:

Name	Email Address
Allison L. Carr	on behalf of Creditor Dep't of Revenue Office of Attorney General acarr@attorneygeneral.gov
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Andrew Kevin Pratt	on behalf of Debtor Eustace O. Uku apratt@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;apratt@c-vlaw.com;ncalaiaro@c-vlaw.com;aopoku@c-vlaw.com;Pratt.AndrewR141044@notify.bestcase.com;amoody@c-vlaw.com
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